IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3428 OF 2002

IN

SUMMARY SUIT NO.4711 OF 2000

Quadrant Container Line (Pty) Ltd .. Plaintiff

versus

Prudential Shipping Agencies P..Ltd & anr Defendant

...

Ms.F.Sethna, Ms./Dipti i/b Dunmoth Seth for Plaintiff

CORAM : D.G. KARNIK, J

DATED : 14th January 2005.

P.C:-

1. Heard learned counsel for the plaintiff. None present for the defendant no.2. An affidavit of service sworn by Mr.Naresh Mohite on 7th December, 2004 proving service of motion on defendant no.2 is filed on record. Despite service of motion, the defendant no. 2 has not appeared nor filed any

affidavit denying the averments in support of the notice of motion. The Associate reports that only defendant no.1 has filed written statement and defendant no.2 has not filed the written statement in the suit though served. In the circumstances, motion is allowed in terms of prayer clause (a). Motion is disposed of.

D.G.KARNIK, J